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Attorneys for Defendants
SVC-WEST, L.P., SHELL VACATIONS
CM CORP., formerly known as
SHELL DEVELOPMENT CORP-SAN FRANCISCO
And JOHN CARTER

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

JAMES GUERIN, an individual,
Plaintiff,

v.

SHELL VACATIONS CLUB, LLC d/b/a SVC-
WEST L.P. d/b/a SHELL VACATIONS CM
CORP d/b/a/ SHELL DEVELOPMENT CORP
- SAN FRANCISCO and JOHN CARTER, an
individual

Defendants.

) Case No. C 07-03153 CW

) **STIPULATION AND ~~PROPOSED~~**
) **ORDER TO CONTINUE THE CURRENT**
) **ADR DEADLINE OF FEBRUARY 29, 2008**
) **TO APRIL 30, 2008**

) Trial Date: January 5, 2009

1 The parties, Plaintiff James Guerin ("Plaintiff") and Defendants SVC-West L.P., Shell
 2 Vacations CM Corp., formerly known as Shell Development Corp-San Francisco and John
 3 Carter ("Defendants"), do by and through their respective counsel, stipulate and agree that this
 4 matter cannot be effectively presented for Early Neutral Evaluation by the court ordered
 5 deadline of February 29, 2008. The parties make this request for several reasons, including
 6 because: (i) Plaintiff's deposition has not been completed but is continuing during late February
 7 2008; (ii) Plaintiff will have only completed one of five noticed depositions of Defendant's
 8 witnesses by the end of February 2008; and (iii) the parties are continuing to meet and confer in
 9 hopes of resolving outstanding discovery disputes. Given conflicts in both counsels' and the
 10 witnesses' calendars, depositions cannot be completed until April 2008. Therefore, both parties
 11 request that, based on good cause, the deadline for Early Neutral Evaluation in this matter be
 12 continued until April 30, 2008.
 13

14
 15 DATED: February 4, 2008

16 HUBER LAW FIRM

17
 18 By: 

BETH A. HUBER

19 Attorneys for Plaintiff JAMES L. GUERIN

20 DATED: February 4, 2008

21 VILLARREAL HUTNER PC

22
 23 By: 

DANIELLE L. PENER

24 Attorneys for Defendants SVC-WEST, L.P.,
 25 SHELL VACATIONS CM CORP., formerly known
 26 As SHELL DEVELOPMENT CORP-SAN
 27 FRANCISCO and JOHN CARTER
 28

[PROPOSED] ORDER

After reviewing the parties' stipulation and considering the declaration of counsel, and good cause appearing therefore,

IT IS HEREBY ORDERED THAT the deadline by which the parties must submit this matter to Early Neutral Evaluation is extended to April 30, 2008.

DATED: February ¹¹__, 2008



Judge Claudia Wilken